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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,617	03/31/2004	Ryan M. Bocock	SIL.P0080	5440
30163	7590	12/13/2004	EXAMINER	
JOHNSON & ASSOCIATES			NGUYEN, KHANH V	
PO BOX 90698				
AUSTIN, TX 78709-0698			ART UNIT	PAPER NUMBER
			2817	

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/814,617

Applicant(s)

BOCOCK ET AL.

Examiner

Khanh V. Nguyen

Art Unit

2817

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5-8,10-12 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 2-4,9,13,14 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claims 1, 7, 10, 12 are objected to because of the following informalities:

Claim 1, line 6, "a circuit" should correctly be --a bias circuit--.

Claim 5, lines 1-2, "the voltage level" should correctly be --a voltage level-- and "the voltage control signal" should correctly be --the control signal--.

Claim 7, line 1, "the circuit" should correctly be --the bias circuit--.

Claim 8, line 1, "the circuit" should correctly be --the bias circuit--.

Claim 9, line 1, "the circuit" should correctly be --the bias circuit--.

Claim 10, line 1, "the circuit" should correctly be --the bias circuit--.

Claim 12, line 5, "of regulator" should correctly be --of **the** regulator--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It appears there is another "bias circuit" claimed. As such, it is not clear which "bias circuit" is intended.

Claims 19, 20 recite the limitation "the method" in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 12, 15, 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Cho (5,834,978).

Regarding claims 1, 12, Cho (Fig. 2) discloses a detector (16) can be read as a detector circuit having the function thereof coupled to a switching unit (14) which can be read as a regulator, and a controller (12) can be read as a circuit having the connection and function thereof.

Regarding claims 15, wherein the output level of the regulator is control by the signal from the controller (12), and the detector having the function thereof.

Regarding claims 17, 18, 19, wherein the speed can be varies by controller (12) and the regulator is dynamically bias accordingly.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-8, 10, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cho.

Regarding claims 5, 16, Cho discloses the claimed invention except the condition which detector detects the voltage level. Since the essential components of the circuit are disclosed, setting the operating condition of the reference circuit would have been obvious as a matter of design engineering if not capable of operating within the claimed condition.

Regarding claim 6, Cho discloses the claimed invention except the slew detector claimed. It would have been obvious matter of design choice to replace detector of reference with a slew detector, since applicant has not disclosed that slew detector solves any stated problem or is for any particular purpose and in light of any criticality or unexpected result it appears that the invention would perform equally well with the slew detector.

Regarding claims 7, 8, 10, Cho discloses the claimed invention except decreasing/varying the setting time of the regulator. However, controller (12) is capable of having the function thereof, wherein transistor (Q3) can be read as a switching device.

***Allowable Subject Matter***

Claims 2-4, 9, 13, 14, 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2-4, 13, 14 call for, among others, a timer circuit (108) having the function thereof.

Claims 9, 20 call for, among others, a second regulator.

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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh V. Nguyen whose telephone number is (571) 272-1767. The examiner can normally be reached from 8:00 AM - 3:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571) 272-1769. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Khanh V. Nguyen', with a long horizontal flourish extending to the right.

**KHANH V. NGUYEN  
PRIMARY EXAMINER**